

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

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**REGION 5**  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

D-8J

April 6, 2001

Mark F. Giesfeldt, Director  
Bureau for Remediation and Redevelopment  
Wisconsin Department of Natural Resources  
P. O. Box 7921  
Madison, WI 53707

Suzanne Bangert, Director  
Bureau of Waste Management  
Wisconsin Department of Natural Resources  
P. O. Box 7921  
Madison, WI 53707

Dear Mr. Giesfeldt and Ms. Bangert:

My staff and I, in conjunction with the Region's Office of Regional Counsel, have considered the request in your letter of March 19, 2001. I concur that WDNR may continue to implement the U.S. EPA's March 13, 1996, Memorandum 'Use of the Area of Contamination (AOC) Concept. During RCRA Cleanups' at facilities the State is managing. This guidance discusses the conditions under which hazardous wastes may be moved within an AOC without triggering RCRA land disposal restrictions (LDR) or minimum technology requirements (MTR) which could subject the facility to RCRA generator, permitting or other RCRA requirements. We agree that proper use of the AOC guidance can expedite effective and protective remedial actions, in particular for consolidation of contiguous units or areas of contaminated soil.

Furthermore, I look forward to your proposal of a pilot project to evaluate the effectiveness of criteria to be developed by the State to expand the basis of the U.S. EPA's AOC guidance to address consolidation of non-contiguous units or contaminated areas. Please do not hesitate to contact me, or Gerald W. Phillips of my staff at 312 886 0977 if you have any questions.

Robert Springer,  
Waste, Pesticides and Toxics Division